

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4333 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

CHAIRMAN

Versus

STATE OF GUJARAT

Appearance:

MR DJ CHAUHAN for Petitioner

MR VB GHARANIA ASSTT GP for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 18/08/98

ORAL JUDGEMENT

Rule. Service of rule is waived by Mr. V.B.Gharaniya, learned Asstt.G.P. for the respondents. On the facts and circumstances of the case, the matter is taken up for final hearing today.

2. This petition arises from the refusal on the part of the revisional authority to grant interim stay of the impugned order during the pendency of the revision

application.

3. I have heard the learned advocate for the petitioner as well as the learned Assistant Government Pleader for the State.

4. It appears that after the issuance of the show cause notice to the petitioners, the impugned order inter alia saying about the confiscation of the amount deposited and cancellation of the licence to run the fair price shop was passed on account of the alleged serious irregularities on the part of the petitioners. Against the dismissal of the petitioners' appeal, revision application has been preferred which is pending before the State Government. The revisional authority has however refused to grant interim stay of the impugned order. In my opinion, instead of entertaining this petition against the interlocutory order, it would be just and proper to direct the revisional authority to decide the revision application expeditiously. Hence following order is passed :

5. Revisional authority of the Government will decide the revision application filed by the petitioners as expeditiously as possible preferably within a period of four weeks from today after hearing the petitioners. Subject to this direction, this petition is disposed of. Rule is discharged with no order as to cost.

Vyas